

ORDINANCE NO. 2009-17

AN ORDINANCE, of the City of Wenatchee amending Ordinance No. 2007-34 as it pertains to the use "Humanitarian Service and Shelter Facilities" and establishing general regulations for a Historic Building Floating Zone.

WHEREAS, the Planning Commission held a duly advertised public hearing on April 15, 2009, to review proposed changes to the zoning code and to take public comments on said changes; and

WHEREAS, all persons desiring to comment on the proposals were given a full and complete opportunity to be heard; and

WHEREAS, prior to the adoption of this ordinance the Washington State Office of Community, Trade and Economic Development was provided copies of the proposed changes for its review and comment and granted expedited review pursuant to RCW 36.70A.106(3)(b) on May 11, 2009; and

WHEREAS, with respect to the proposed amendments to the City's zoning code, the Council finds:

1. The amendments are consistent with the City's comprehensive plan;
2. The amendments are consistent with the purposes of the zoning code, Title 10;
3. The amendments are consistent and compatible with the uses and zoning of the surrounding property;
4. The adoption of this ordinance promotes the public health, safety and general welfare, and serves the public interest.

NOW, THEREFORE, be it ordained by the City Council of the City of Wenatchee, as follows:

SECTION I.

That the District Use Chart, codified at WCC 10.10.020, as it pertains to the use “Humanitarian Service and Shelter Facilities” shall be amended as follows:

Uses	Commercial Districts			Mixed Use Districts				Residential Districts				Overlay Zones					
	CBD	NWBD/ SWBD	CN	I	WMU	OMU	RMU	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RRO
Public Assembly																	
Humanitarian Service and Shelter Facilities:	P	P	P	P	C	P	C	~	~	~	C	P	C	P	~	C ₁	C ₁

SECTION II.

That WCC 10.65 shall be amended by the addition of conditional use criteria for “Humanitarian Service and Shelter Facilities” to read as follows:

10.65.160 Humanitarian Service and Shelter Facility

- A. Use within the Residential High (RH) zoning district shall be limited to existing vacant buildings, provided no more than 50% of the original floor area may be demolished for re-use.
- B. All setback requirements of the district in which the facility is proposed shall be observed.
- C. Parking needs shall be evaluated by the Hearing Examiner consistent with Chapter 10.60 WCC, as amended.
- D. Landscaping and screening: The development shall comply with Chapter 10.62 WCC, Landscape and Screening, as amended.

SECTION III.

That WCC 10.48 shall be amended by the addition of "Historic Building Floating Zone" to read as follows:

10.48.241 Historic Building Floating Zone

The following regulations apply, at the election of the property owner, to any commercial or multi-family building with six (6) or more dwelling units which is on the National, State or Wenatchee Register of Historic Places or is certified as a contributing structure within a National, State or local Historic District. These optional regulations are intended to provide flexibility in the restoration or adaptive re-use of historic commercial and large multi-family residential buildings.

Optional standards for historic structures include the following:

- A. Parking, when required, shall meet the applicable standards for Off-street Parking found in Chapter 10.60 except that:
 - 1. 100 percent of the required parking may be provided through Shared Parking Agreements as provided for in Section 10.60.040 or through Combined Parking standards as found in Section 10.60.050.
 - 2. The on-street parking located directly adjacent the building site may be used to deduct on a space for space basis from the off-street parking requirement, except when attributed to residential uses. Partial on-street parking spaces located adjacent to more than one property shall not be counted toward any parking reduction.
 - 3. A Transportation Demand Management (TDM) Plan may be provided as identified in Section 10.60.075, and parking requirements may be reduced to meet those as identified by the TDM as needed for the project to succeed within the underlying zoning district environment.
 - 4. The Community Development Director may allow some required improvements to off-site parking lot(s) to be deferred, for not more than 24 months, subject to execution of a legally binding agreement which shall be recorded and run with the land.
- B. For buildings at or near maximum lot coverage, some required improvements, including, but not limited to, landscaping, pedestrian amenities, stairs and access ramps may be located on public property with the consent of the City Engineer and execution of a right of way encroachment permit.
- C. Upon certification by the Historic Preservation Board for compliance with the Secretary of the Interior's Standards for Historic Preservation the Community

Development Director may waive or modify exterior standards including but not necessarily limited to open space, architectural design, landscaping, exterior building materials, and sidewalks as required by zoning and development standards. No waivers or modifications, under this section, shall be permitted for requirements related to compliance with building code life-safety regulations or ADA requirements.

SECTION IV.

Except as modified herein, the City's zoning code codified at Title 10 WCC, shall remain in full force and effect in its current form.

SECTION V.

As required by RCW 36.70A.106(2) and (3)(a), a complete and accurate copy of this ordinance shall be transmitted to the State of Washington, Department of Community, Trade and Economic Development within ten (10) days of final adoption.

SECTION VI.

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION VII.


This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force thirty (30) days from and after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF
WENATCHEE at a regular meeting thereof, this 14 day of May, 2009.


CITY OF WENATCHEE, a municipal
Corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: 
BRENDA GUSKE, Interim City Clerk

APPROVED:

By: 
STEVE D. SMITH, City Attorney